

**Introduced by Senator Wolk**

February 18, 2010

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An act to amend Section 26840.11 of the Government Code, to amend Section 103628 of the Health and Safety Code, and to amend Section 18309.5 of the Welfare and Institutions Code, relating to domestic violence.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1222, as introduced, Wolk. Marriage licenses: vital records: fees: domestic violence.

Existing law requires the collection of fees for issuing marriage licenses and for providing certified copies of vital records, including marriage certificates, birth certificates, fetal death records, and death records. Existing law provides for the establishment of county domestic violence program special funds for the purpose of funding local domestic violence programs. Certain fees payable at the time a marriage license or a certified copy of any of the above vital records is issued may be collected by the county clerks for deposit into these funds.

Existing law, until January 1, 2011, additionally authorizes the Solano County Board of Supervisors, upon making certain findings and declarations, to authorize an increase in fees for marriage licenses and confidential marriage licenses and for certified copies of certain vital records, up to \$2. Existing law authorizes the Solano County Board of Supervisors to make further increases in fees each year, as specified. Existing law requires the fees to be allocated for purposes relating to domestic violence prevention, intervention, and prosecution.

This bill would extend the operation of the above-described provisions until January 1, 2014.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 26840.11 of the Government Code is  
2 amended to read:  
3 26840.11. (a) The Solano County Board of Supervisors, upon  
4 making findings and declarations for the need for governmental  
5 oversight and coordination of the multiple agencies dealing with  
6 domestic violence, may authorize an increase in the fees for  
7 marriage licenses and confidential marriage licenses, up to a  
8 maximum increase of two dollars (\$2).  
9 (b) Effective July 1 of each year, the Solano County Board of  
10 Supervisors may authorize an increase in these fees by an amount  
11 equal to the increase in the Consumer Price Index for the San  
12 Francisco metropolitan area for the preceding calendar year,  
13 rounded to the nearest one-half dollar (\$0.50). The fees shall be  
14 allocated pursuant to Section 18309.5 of the Welfare and  
15 Institutions Code.  
16 (c) In addition to the fee prescribed by Section 26840.1, in  
17 Solano County, the person issuing authorization for the  
18 performance of a marriage or confidential marriage, or the county  
19 clerk upon providing a blank authorization form pursuant to Part  
20 4 (commencing with Section 500) of Division 3 of the Family  
21 Code, shall collect the fees specified in subdivisions (a) and (b),  
22 at the time of providing the authorization.  
23 (d) The Solano County Board of Supervisors shall submit to  
24 the Assembly and Senate Committees on Judiciary, no later than  
25 July 1, 2009, a report containing the following information:  
26 (1) The annual amounts of funds received and expended from  
27 fee increases for the purpose of governmental oversight and  
28 coordination of domestic violence prevention, intervention, and  
29 prosecution efforts in the county.  
30 (2) Outcomes achieved as a result of the activities associated  
31 with the implementation of this section.  
32 (e) This section shall remain in effect only until January 1, ~~2014~~  
33 ~~2014~~, and as of that date is repealed, unless a later enacted statute,  
34 that is enacted before January 1, ~~2014~~ ~~2014~~, deletes or extends  
35 that date.

1 SEC. 2. Section 103628 of the Health and Safety Code is  
2 amended to read:

3 103628. (a) The Solano County Board of Supervisors, upon  
4 making findings and declarations for the need for governmental  
5 oversight and coordination of the multiple agencies dealing with  
6 domestic violence, may authorize an increase in the fees for  
7 certified copies of marriage certificates, birth certificates, fetal  
8 death records, and death records, up to a maximum increase of  
9 two dollars (\$2).

10 (b) Effective July 1 of each year, the Solano County Board of  
11 Supervisors may authorize an increase in these fees by an amount  
12 equal to the increase in the Consumer Price Index for the San  
13 Francisco metropolitan area for the preceding calendar year,  
14 rounded to the nearest one-half dollar (\$0.50). The fees shall be  
15 allocated pursuant to Section 18309.5 of the Welfare and  
16 Institutions Code.

17 (c) In addition to the fees prescribed by subdivisions (a) and  
18 (b), any applicant for a certified copy of a birth certificate, a fetal  
19 death record, or death record in Solano County shall pay an  
20 additional fee to the local registrar, county recorder, or county  
21 clerk as established by the Solano County Board of Supervisors.

22 (d) This section shall remain in effect only until January 1, ~~2014~~  
23 ~~2014~~, and as of that date is repealed, unless a later enacted statute,  
24 that is enacted before January 1, ~~2014~~ ~~2014~~, deletes or extends  
25 that date.

26 SEC. 3. Section 18309.5 of the Welfare and Institutions Code  
27 is amended to read:

28 18309.5. (a) The Solano County Board of Supervisors shall  
29 direct the local registrar, county recorder, and county clerk to  
30 deposit fees collected pursuant to Section 26840.11 of the  
31 Government Code and Section 103628 of the Health and Safety  
32 Code into a special fund.

33 The county may retain up to 4 percent of the fund for  
34 administrative costs associated with the collection and segregation  
35 of the additional fees and the deposit of these fees into the special  
36 fund. Proceeds from the fund shall be used for governmental  
37 oversight and coordination of domestic violence and family  
38 violence prevention, intervention, and prosecution efforts among  
39 the court system, the district attorney's office, the public defender's  
40 office, law enforcement, the probation department, mental health,

1 substance abuse, child welfare services, adult protective services,  
2 and community-based organizations and other agencies working  
3 in Solano County in order to increase the effectiveness of  
4 prevention, early intervention, and prosecution of domestic and  
5 family violence.

6 (b) This section shall remain in effect only until January 1, ~~2011~~  
7 2014, and as of that date is repealed, unless a later enacted statute,  
8 that is enacted before January 1, ~~2011~~ 2014, deletes or extends  
9 that date.